

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
INTER-OFFICE MEMO**

**April 12, 2010**

**TO: Rosamary Booth-Gallogly, Acting Director**

**DEPT: Department of Administration**

**FROM: Dennis Gerstmeyer, Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS**

**Please be advised of the following matters which were heard before the Board on Thursday, April 8, 2010. Board members: Dennis Gerstmeyer, Chairman James Botvin, Thomas Celona and Sgt. David Doucet of the Rhode Island State Police.**

**Absent: Walter Craddock, Esq., Michael Vispo, Steven Raffa Esq., Division of Legal Services and Richard Interrante.**

**MEETING OF APRIL 8, 2010 AT 9:00 AM AT  
PAWTUCKET CITY HALL- CITY COUNCIL CHAMBERS, 3RD FLOOR,  
137 ROOSEVELT AVENUE, PAWTUCKET, RI 02860**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE MARCH 25, 2010 BOARD HEARING.**

**Minutes have been reviewed and accepted by the board.**

**2. GINGER COSTA V. YANKEE CHEVROLET (DOMINIC PENTA, PRES.) SURETY BOND ACTION- CASE # DS09-263.**

**Decision: The Board has granted Ginger Costa permission to file against the 2007 surety bond of Yankee Chevrolet, number 70140864, issued by the Western Surety Company for \$3963.10.**

**3. MAG MOTORS INC. d/b/a METRO KIA (MICHAEL GRIECO, SR. PRES.)**

**TRANSFER APPLICATION: CASE # KR-10-079**

**FROM : 1660 HARTFORD AVENUE, JOHNSTON, RI 02919**

**TO: 1890 HARTFORD AVENUE, JOHNSTON, RI 02919**

**The Board has approved the transfer request subject to the dealership providing a copy of the lease or deed to the property, a copy of the city license and four pictures of the site upon completion of the building to the Dealers License and Regulations Office. A site inspection will be performed after the dealership is awarded a certificate of occupancy. A letter of no protest has been received**

from Bald Hill Kia, the only other Kia dealership in the state.

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**4. AL IZZI'S MOTOR SALES, INC. (ALBERT N. IZZI, JR. PRES.)**

**TRANSFER APPLICATION: CASE# KR10-078**

**FROM: 33 WENDELL AVENUE, COVENTRY, RI 02816**

**TO: 20 FACTORY STREET, WEST WARWICK, RI 02893**

**Decision: The Board has granted the transfer application subject to the dealership closing on the sale of the property, the installation of a garage door and providing a copy of the deed or lease agreement to the Dealers License and Regulations Office.**

**5. JOHN D. MAHONEY V. MAJESTIC MOTORS, INC. (MARC CHARREN, SEC.)**

**COMPLAINT/SHOW CAUSE HEARING**

**CASE# DS-09-225**

**1ST RESCHEDULED HEARING**

**James Botvin has recused himself from this hearing.**

**Decision: The Board has ordered Majestic Motors, Inc to pay John D. Mahoney \$700.00 to cover the difference in the amount in the contract he had with Majestic Motors Inc, which they did not honor and the**

**amount he had to pay to Saccucci Honda for the same type vehicle within 10 days of receiving the formal decision.**

**The Board has determined that Majestic Motors, is in violation of Rhode Island General Law 31-5-11(10), for having indulged in unconscionable practice relating to business as a motor vehicle dealer and is required to pay a fine of \$100.00 to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.**

**6. LAURA G. HANDWERGER V GLENN MAURICE'S AUTO CENTER  
SALES (KIMBERLY K. ISSLER, VP)\_  
CASE# DS 09-297  
SURETY BOND ACTION**

**Decision: The Board has granted Laura G. Handwerger permission to file against the 2007 surety bond of Glen Maurice's Auto Center Sales, number S-238126-N, issued by MGM Insurance Company for \$1605.20.**

**7. LAURA G. HANDWERGER V TWIN RIVER AUTO SALES (KAREN  
CIOLLI, OWNER)\_  
CASE# DS 09-297  
COMPLAINT/SHOW CAUSE HEARING**

**Decision: The Board has dismissed the complaint against Twin River Auto Sales as they did not sell the vehicle to the consumer.**

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**8. DAVID HOLT/JOHN T. LONGO ESQ**

**ATTORNEY LONGO WISHES TO ADDRESS THE BOARD**

**Decision: The Board has referred this complaint to the legal counsel for the Dealer Hearing board for review.**

**9. LEONARD WEISENSEE V SIMS AUTO SALES (KENNETH SIMONEAU, OWNER**

**CASE# KR09-301**

**COMPLAINT/ SHOW CAUSE HEARING**

**POSTPONED AT THE REQUEST OF MR. WEISENSEE.**

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**Dennis Gerstmeyer, Chairman**

**Cc: John DiTomasso, Assistant Administrator, DMV**

**Michael Vispo, Manager DMV**

**Steven Raffa, Esq., Division of Legal Services, DOA**

**Richard Interrante**

**File**